

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X		
KEVIN YAN LUIS,	:	
	:	
Plaintiff,	:	
	:	22 Civ. 5077 (LGS)
-against-	:	
	:	<u>ORDER</u>
BENEVOLENCE LA, INC.,	:	
	:	
Defendant.	:	
	:	
-----X		

LORNA G. SCHOFIELD, United States District Judge:

WHEREAS, Plaintiff filed the Complaint on June 16, 2022;

WHEREAS, Defendant has not been served;

WHEREAS, by Order dated September 15, 2022, Plaintiff was directed to show cause in a written submission, by September 19, 2022, why the Complaint should not be dismissed for failure to serve, including any additional efforts that have been made to effect service and when, or to file a proof of service;

WHEREAS, Plaintiff was advised that failure to comply with the Order would result in dismissal of this action;

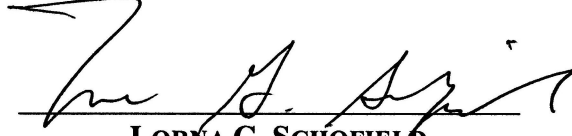
WHEREAS, Plaintiff made no submission pursuant to the September 15, 2022, Order and has not served Defendant;

WHEREAS, Federal Rule of Civil Procedure 4(m) states: "If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period." It is hereby

**ORDERED** that this action is dismissed for failure to serve Defendant, pursuant to Federal Rule of Civil Procedure 4(m).

The Clerk of Court is respectfully directed to close the case.

Dated: September 21, 2022  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**